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EXAMINER
WONG, NOBLE S

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/616,108	DAVIS, MARK
	Examiner	Art Unit	
	Noble S. Wong	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 July 2003</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-28</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-28</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date <u>1/23/06 & 3/28/06</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claims 4, 5, 16, and 17 are objected to because of the following informalities:

Claims 4 and 16 state, "a first plurality of icons are" in lines 1 and 2. This is

grammatically incorrect as "a plurality" is singular.

Claims 5 and 17 state, "said first plurality of icons correspond" in lines 1 and 2. This is

grammatically incorrect as "said first plurality" is singular.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 2, 6-14, 18-22, and 26- 28 are rejected under 35 U.S.C. 102(e) as being

anticipated by Vander Veen et al. (US Patent Application Publication # 2003/0228863 A1).

As to independent claim 1, Vander Veen et al. teach a device for issuing commands to a

remote system, said device comprising:

- a memory (flash memory 224) for
    - o   storing a plurality of translations (on database 406),
        - each translating between a common plurality of functions and custom signals for implementing said common plurality of functions on a respective remote system (i.e. see Table 4);

- a selector for selecting a particular translation of said plurality of translations for a particular remote system (database 406, see [0049]);
- a display screen (display 222) for
    - o displaying on-screen icons representing said common plurality of functions (control bar 1506, Fig. 15 and 16)
        - ▪ wherein said on-screen icons comprise respective text corresponding to said common plurality of functions (i.e. one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see [0074]); and
- a processor (microprocessor 238) for
    - o responding to a selected on-screen icon associated with a selected common function (see [0079]),
    - o obtaining a custom signal from said particular translation corresponding to said selected common function (from database 406) and
    - o issuing said custom signal to said particular remote system (i.e. sent as DTMF tones, see [0048]).

As to claim 2, Vander Veen et al. teach a device as described in Claim 1 wherein said particular remote system is a remote voicemail system (i.e. the message is stored remotely from the device on unified messaging notification system 312 or 332) and wherein said particular custom signals cause navigation through said remote voicemail system (see [0049]).

As to claim 6, Vander Veen et al. teach a device as described in Claim 1 wherein said on-screen icons appear as phone key images, each key image comprising a respective text label that is associated with a respective common function (control bar 1506, Fig. 15 and 16, also note, one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see [0074]).

As to claim 7, Vander Veen et al. teach a device as described in Claim 1 wherein said selector is a memory cell containing data therein (i.e. database 406 stored on flash memory 224).

As to claim 8, Vander Veen et al. teach a device as described in Claim 1 wherein said custom signals are dial tone signals (i.e. DTMF tones, see [0048]).

As to claim 9, Vander Veen et al. teach a device as described in Claim 1 wherein said

custom signal corresponding to said selected custom function is wirelessly communicated (i.e.

see [0035]) to said remote system (i.e. see [0044] and [0046]).

As to independent claim 10, Vander Veen et al. teach a device for issuing commands to a

voicemail system, said device comprising:

- a memory (flash memory 224) for
  - storing a first translation (on database 406)
    - between a common plurality of functions and first custom signals for
      implementing said common plurality of functions on a first voicemail system,
      said first custom signals for causing voicemail navigation through said first
      voicemail system (i.e. see Table 4);
- a display screen (display 222) for
  - displaying on-screen icons representing said common plurality of functions (control
    bar 1506, Fig. 15 and 16)
    - wherein said on-screen icons comprise respective text corresponding to said
      common plurality of functions (i.e. one of ordinary skill in the art can use text
      or graphical icons interchangeably for the GUI controls, see [0074]); and
- a processor (microprocessor 238) for
  - responding to a selected on-screen icon associated with a selected common function
    (see [0079]),
  - obtaining a custom signal from said first translation corresponding to said selected
    common function (from database 406) and
  - issuing said custom signal to said first voicemail system (i.e. sent as DTMF tones, see
    [0048]).

As to claim 11, Vander Veen et al. teach a device as described in Claim 10 wherein said

memory further comprises a second translation between said common plurality of functions and

second custom signals for implementing said common plurality of functions on a second

voicemail system, said second custom signals for causing voicemail navigation through said

second voicemail system (i.e. data base 406 provides different command sets for different

voicemail system protocols, see [0049]).

As to claim 12, Vander Veen et al. teach a device as described in Claim 11 wherein said memory further comprises a third translation between said common plurality of functions and third custom signals for implementing said common plurality of functions on a third voicemail system, said third custom signals for causing voicemail navigation through said third voicemail system (i.e. data base 406 sets out different command sets for different voicemail system protocols, note that this system limited in number of voicemail systems, see [0049]).

As to claim 13, Vander Veen et al. teach a device as described in Claim 11 further comprising a selector for selecting between said first and second translations of said memory (database 406, see [0049]).

As to claim 14, Vander Veen et al. teach a device as described in Claim 12 further comprising a selector for selecting between said first, second and third translations of said memory (i.e. database 406 hold appropriate information for each voicemail system, see [0049]).

As to claim 18, Vander Veen et al. teach a device as described in Claim 10 wherein said on-screen icons appear as phone key images, each key image comprising a respective text label that is associated with a respective common function (control bar 1506, Fig. 15 and 16, also note, one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI controls, see [0074]).

As to claim 19, Vander Veen et al. teach a device as described in Claim 10 wherein said first custom signals are dial tone signals (i.e. DTMF tones, see [0048]).

As to claim 20, Vander Veen et al. teach a device as described in Claim 19 wherein said custom signal corresponding to said selected custom function is wirelessly communicated (i.e.

see [0035]) to said first voicemail system and wherein said first voicemail system is a remote

voicemail (i.e. see [0044] and [0046]).

As to independent claim 21, Vander Veen et al. teach a computer implemented method of

issuing commands to a remote system, said method comprising:

- maintaining a plurality of translations (on database 406) in a memory (flash memory 224),
    - each translation for translating between a common plurality of functions and custom signals for implementing said common plurality of functions on a respective remote system (i.e. see Table 4);
- selecting a particular translation of said plurality of translations for a particular remote system (i.e. data base 406 provides different command sets for different voicemail system protocols, see [0049]);
- displaying (on display 222)
    - on-screen icons representing said common plurality of functions wherein said on-screen icons comprise respective text corresponding to said common plurality of functions (control bar 1506, Fig. 15 and 16); and
- responding to a selected on-screen icon associated with a selected common function (see [0079]) by:
    - obtaining a custom signal from said particular translation corresponding to said selected common function (from database 406); and
    - issuing said custom signal to said particular remote system (i.e. sent as DTMF tones, see [0048]).

As to claim 22, Vander Veen et al. teach a method as described in Claim 21 wherein said

particular remote system is a remote voicemail system (i.e. the message is stored remotely from

the device on unified messaging notification system 312 or 332) and wherein said particular

custom signals cause navigation through said remote voicemail system (see [0049]).

As to claim 26, Vander Veen et al. teach a method as described in Claim 22 wherein said

on-screen icons appear as phone key images, each key image comprising a respective text label

that is associated with a respective common function (control bar 1506, Fig. 15 and 16, also note,

one of ordinary skill in the art can use text or graphical icons interchangeably for the GUI

controls, see [0074]).

As to claim 27, Vander Veen et al. teach a method as described in Claim 22 wherein said custom signals are dial tone signals (i.e. DTMF tones, see [0048]).

As to claim 28, Vander Veen et al. teach a method as described in Claim 22 wherein said issuing said custom signal comprises wirelessly communicating (i.e. see [0035]) said custom signal corresponding to said selected custom function to said remote system (i.e. see [0044] and [0046]).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 3-5, 15-17, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vander Veen et al. (US Patent Application Publication # 2003/0228863 A1) in view of Cowart (Mastering Windows 95 – The Windows 95 Bible).

As to claim 3, Vander Veen et al. teach a device as described in Claim 1 (see claim 1 above) but does not teach wherein said display screen is configurable between a first viewable size configuration and a second, larger, viewable size configuration. Cowart teaches wherein said display screen is configurable between a first viewable size configuration and a second, larger, viewable size configuration (by changing the screen resolution of the useable interface area, see p. 355 or by changing the monitor with a different size, see p. 358-359, 'Cowart).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teaching of Vander Veen et al. and Cowart before him at the time the invention was made, to modify the display screen as taught by Vander Veen et al. to include multiple viewable size configurations as taught by Cowart with the motivation being that, "Some jobs ... are much more efficient with more data displayed on the screen," by changing the resolution (see "Desktop Area", p. 355, 'Cowart).

As to claim 4, Vander Veen et al. in view of Cowart teach a device as described in Claim 3 wherein a first plurality of icons are displayed on said display screen when in said first viewable size configuration and wherein a second plurality of icons are displayed on said display screen when in said second viewable size configuration (i.e. at different resolutions, the objects are smaller, and therefore different from a first set of objects, see "Desktop Area", p. 355, 'Cowart).

As to claim 5, Vander Veen et al. in view of Cowart teach a device as described in Claim 4 wherein said first plurality of icons correspond to basic common functions and wherein said second plurality of icons correspond to extended common functions that include said basic common functions (i.e. control bar 1506 of Vander Veen at a different size by Cowart).

As to claim 15, Vander Veen et al. teach a device as described in Claim 10 (see claim 10 above), but does not teach wherein said display screen is configurable between a first viewable size configuration and a second, larger, viewable size configuration. Cowart teaches wherein said display screen is configurable between a first viewable size configuration and a second, larger, viewable size configuration (by changing the screen resolution of the useable interface area, see p. 355 or by changing the monitor with a different size, see p. 358-359, 'Cowart).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teaching of Vander Veen et al. and Cowart before him at the time the invention was made, to modify the display screen as taught by Vander Veen et al. to include multiple viewable size configurations as taught by Cowart with the motivation being that, "Some jobs ... are much more efficient with more data displayed on the screen," by changing the resolution (see "Desktop Area", p. 355, 'Cowart).

As to claim 16, Vander Veen et al. in view of Cowart teach a device as described in Claim 15 wherein a first plurality of icons are displayed on said display screen when in said first viewable size configuration and wherein a second plurality of icons are displayed on said display screen when in said second viewable size configuration (i.e. at different resolutions, the objects are smaller, and therefore different from a first set of objects, see "Desktop Area", p. 355, 'Cowart).

As to claim 17, Vander Veen et al. in view of Cowart teach a device as described in Claim 16 wherein said first plurality of icons correspond to basic common functions and wherein said second plurality of icons correspond to extended common functions that include said basic common functions (i.e. control bar 1506 of Vander Veen at a different size by Cowart).

As to claim 23, Vander Veen et al. teach a method as described in Claim 22 (see claim 22 above) but does not teach wherein said on-screen icons are displayed on a display screen that is configurable between a first viewable size configuration and a second, larger, viewable size configuration. Cowart teaches wherein said on-screen icons are displayed on a display screen that is configurable between a first viewable size configuration and a second, larger, viewable

size configuration (by changing the screen resolution of the useable interface area, see p. 355 or

by changing the monitor with a different size, see p. 358-359, 'Cowart).

Therefore, it would have been obvious to one of ordinary skill in the art, having the

teaching of Vander Veen et al. and Cowart before him at the time the invention was made, to

modify the display screen as taught by Vander Veen et al. to include multiple viewable size

configurations as taught by Cowart with the motivation being that, "Some jobs ... are much more

efficient with more data displayed on the screen," by changing the resolution (see "Desktop

Area", p. 355, 'Cowart).

As to claim 24, Vander Veen et al. in view of Cowart teach method as described in Claim

23 wherein said displaying comprises: displaying a first plurality of icons on said display screen

when said display screen is in said first viewable size configuration; and displaying a second

plurality of icons on said display screen when said display screen is in said second viewable size

configuration (i.e. at different resolutions, the objects are smaller, and therefore different from a

first set of objects, see "Desktop Area", p. 355, 'Cowart).

As to claim 25, Vander Veen et al. in view of Cowart teach a method as described in

Claim 24 wherein said first plurality of icons correspond to basic common functions and wherein

said second plurality of icons correspond to extended common functions that include said basic

common functions (i.e. control bar 1506 of Vander Veen at a different size by Cowart).

Conclusion

6.   The prior art made of record on form PTO-892 and not relied upon is considered

pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider

these references fully when responding to this action. The documents cited therein teach a user

interface for multiple voicemail systems.

Inquiries

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Noble S. Wong whose telephone number is (571) 270-1044. The

examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N$w

Noble Wong
12/8/06

Kieu Vu
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